

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT**

**Call to Order:** Chair Brad Tschida, on February 22, 2017 at 9:30 A.M., in Room 350 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Brad Tschida, Chair (R)  
Sen. Frederick (Eric) Moore, Vice Chair (R)  
Rep. Dan Bartel (R)  
Sen. Mike Lang (R)  
Rep. Kelly McCarthy (D)  
Sen. Mary McNally (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Olivia Effertz, Committee Secretary  
Katie Guenther, Legislative Branch  
Kris Wilkinson, Legislative Branch  
Nick VanBrown, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing: Montana Consumers Council

Executive Action: Department of Administration, Consumer Counsel, Department of Revenue, Department of Commerce, Department of Labor & Industry

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**Committee Business:**

00:00:32 Chair Tschida  
00:00:58 Kris Wilkinson, Legislative Fiscal Division (LFD)  
00:02:13 Chair Tschida  
00:02:27 Bob Nelson, Montana Consumer Council

[EXHIBIT\(jgh39a01\)](#)

[EXHIBIT\(jgh39a02\)](#)

00:12:10 Vice Chair Moore  
00:12:37 Bob Nelson, Montana Consumer Council  
00:12:42 Vice Chair Moore  
00:13:05 Bob Nelson, Montana Consumer Council  
00:13:28 Vice Chair Moore  
00:14:11 Bob Nelson, Montana Consumer Council  
00:14:52 Sen. Lang  
00:15:02 Bob Nelson, Montana Consumer Council  
00:15:05 Sen. Lang  
00:15:09 Bob Nelson, Montana Consumer Council  
00:15:30 Sen. Lang  
00:15:37 Rep. McCarthy  
00:15:41 Sen. McNally  
00:15:45 Kris Wilkinson, LFD  
00:16:30 Sen. Lang  
00:16:33 Kris Wilkinson, LFD  
00:16:41 Sen. Lang  
00:16:45 Kris Wilkinson, LFD  
00:17:15 Vice Chair Moore  
00:17:47 Kris Wilkinson, LFD  
00:17:54 Rep. McCarthy  
00:19:41 Chair Tschida  
00:20:16 Kris Wilkinson, LFD  
00:21:23 Chair Tschida  
00:22:05 Bob Nelson, Montana Consumer Council  
00:22:49 Vice Chair Moore  
00:23:52 Kris Wilkinson, LFD  
00:24:03 Chair Tschida  
00:24:07 Kris Wilkinson, LFD  
00:24:34 Chair Tschida  
00:24:49 Steve Baiamonte, Department of Administration (DOA)  
00:26:09 Chair Tschida  
00:26:20 Steve Baiamonte, DOA  
00:29:40 Chair Tschida  
00:29:57 Steve Baiamonte, DOA  
00:30:38 Chair Tschida  
00:30:48 Steve Baiamonte, DOA  
00:31:03 Chair Tschida  
00:31:21 Steve Baiamonte, DOA  
00:31:39 Chair Tschida  
00:31:52 Steve Baiamonte, DOA  
00:32:54 Chair Tschida

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00:32:57 Rep. McCarthy  
00:33:21 Steve Baiamonte, DOA  
00:33:45 Rep. McCarthy  
00:34:13 Steve Baiamonte, DOA  
00:35:00 Rep. McCarthy  
00:35:13 Steve Baiamonte, DOA  
00:36:01 Rep. McCarthy  
00:36:23 Steve Baiamonte, DOA  
00:38:32 Sen. Lang  
00:38:45 Steve Baiamonte, DOA  
00:39:32 Sen. Lang  
00:39:36 Steve Baiamonte, DOA  
00:39:58 Chair Tschida  
00:40:16 Steve Baiamonte, DOA  
00:40:22 Chair Tschida  
00:42:04 Kris Wilkinson, LFD  
00:42:53 Vice Chair Moore  
00:42:58 Kris Wilkinson, LFD  
00:43:12 Chair Tschida  
00:43:20 Kris Wilkinson, LFD  
00:43:34 Chair Tschida  
00:43:42 Kris Wilkinson, LFD  
00:44:07 Chair Tschida  
00:44:13 Kris Wilkinson, LFD  
00:44:37 Chair Tschida  
00:44:46 Kris Wilkinson, LFD  
00:45:25 Chair Tschida  
  
00:45:31 Recess  
00:48:48 Reconvene  
  
00:48:51 Kris Wilkinson, LFD  
[EXHIBIT\(jgh39a03\)](#)  
  
00:50:52 Katie Guenther, Legislative Fiscal Division (LFD)  
00:51:01 Vice Chair Moore  
00:51:26 Katie Guenther, LFD  
00:51:31 Vice Chair Moore  
00:51:40 Katie Genther, LFD  
00:51:58 Kris Wilkinson, LFD  
00:54:37 Vice Chair Moore  
00:54:57 Katie Guenther, LFD  
00:55:00 Vice Chair Moore  
00:55:13 Kris Wilkinson, LFD  
00:55:38 Katie Guenther, LFD  
00:56:20 Vice Chair Moore  
00:56:54 Kris Wilkinson, LFD  
00:57:30 Vice Chair Moore  
00:58:09 Kris Wilkinson, LFD  
00:59:07 Nick VanBrown, Legislative Fiscal Division (LFD)

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01:00:20 Sen. McNally  
01:00:27 Nick VanBrown, LFD  
01:00:50 Errollyn Lantz, Office of Budget and Program Planning (OBPP)  
01:02:09 Sen. Lang  
01:02:44 Kris Wilkinson, LFD  
01:03:22 Vice Chair Moore  
01:03:28 Kris Wilkinson, LFD  
01:03:57 Chair Tschida  
01:04:25 Errollyn Lantz, OBPP  
01:05:15 Chair Tschida  
01:05:25 Errollyn Lantz, OBPP  
01:05:54 Vice Chair Moore  
01:06:26 Katie Guenther, LFD  
01:07:18 Vice Chair Moore  
01:07:30 Rep. McCarthy  
01:08:06 Vice Chair Moore  
01:08:11 Rep. McCarthy  
01:08:21 Kris Wilkinson, LFD  
01:08:28 Errollyn Lantz, OBPP  
01:08:34 Chair Tschida  
01:09:06 Vice Chair Moore  
01:09:18 Katie Guenther, LFD  
01:09:58 Vice Chair Moore  
01:10:12 Kris Wilkinson, LFD  
01:10:27 Vice Chair Moore  
01:10:41 Chair Tschida  
01:11:11 Kris Wilkinson  
01:11:18 Chair Tschida

**EXHIBIT(jgh39a04)**

01:12:43 Kris Wilkinson, LFD  
01:13:01 Chair Tschida  
01:13:13 Kris Wilkinson, LFD  
01:13:31 Sen. McNally  
01:13:36 Kris Wilkinson, LFD  
01:13:45 Vice Chair Moore  
01:14:12 Rep. McCarthy  
01:14:29 Rep. Bartel  
01:14:42 Rep. McCarthy  
01:14:56 Sen. Lang  
01:15:45 Sen. McNally  
01:15:49 Rep. McCarthy  
01:15:59 Vice Chair Moore  
01:16:06 Chair Tschida  
01:16:17 Rep. McCarthy  
01:16:37 Sen. Lang  
01:16:43 Rep. McCarthy  
01:16:51 Sen. Lang  
01:16:56 Rep. Bartel  
01:17:04 Sen. Lang

01:17:10 Kris Wilkinson, LFD  
01:17:24 Katie Guenther, LFD  
01:17:29 Sen. Lang  
01:17:33 Kris Wilkinson, LFD  
01:17:54 Rep. McCarthy  
01:18:37 Rep. Bartel  
01:19:00 Rep. McCarthy  
01:19:17 Rep. Bartel  
01:19:27 Rep. McCarthy  
01:19:47 Kris Wilkinson, LFD

**EXECUTIVE ACTION**

01:20:10 Kris Wilkinson, LFD  
[EXHIBIT\(jgh39a05\)](#)

01:21:16 Sen. McNally  
01:21:57 Sen. Lang  
01:22:03 Kris Wilkinson, LFD

01:22:11 **Motion:** Sen. McNally moved to **ADD \$30,000 TO ARCHITECTURE AND ENGINEERING MAKING IT CONTINGENT ON PASSAGE AND APPROVAL OF SB 43.**

**Discussion:**

01:22:58 Sen. Lang  
01:23:01 Kris Wilkinson, LFD  
01:23:16 Sen. McNally  
01:23:19 Rep. Bartel  
01:23:25 Kris Wilkinson, LFD  
01:23:29 Chair Tschida  
01:24:06 Kris Wilkinson, LFD  
01:24:17 Sen. McNally

01:24:24 **Vote:** Motion carried 5-1 by roll call vote with Sen. Moore voting no. Sen. Moore voted by proxy.

01:24:58 Kris Wilkinson, LFD  
01:26:22 Chair Tschida  
01:26:42 Sen. Lang  
01:26:46 Chair Tschida  
01:27:11 Kris Wilkinson, LFD

01:27:23 **Motion:** Rep. Bartel moved to **INCREASE THE RATE IN GENERAL SERVICES DIVISION FOR NON-OFFICE SPACE GROUNDS MAINTENANCE TO \$5.25 PER SQUARE FOOT IN FY 2018 AND 2019.**

**Discussion:**

01:28:00 Rep. McCarthy  
01:28:21 Sen. McNally

01:28:55 Rep. McCarthy

01:29:06 Chair Tschida

01:29:17 **Substitute Motion:** Rep. McCarthy made a substitute motion to **INCREASE THE COST TO \$5.33 EACH YEAR OF THE BIENNIUM.**

**Discussion:**

01:31:56 Kris Wilkinson, LFD

01:33:21 Rep. McCarthy

01:33:28 Without objection, Rep. McCarthy withdrew his substitute motion.

01:33:40 **Substitute Motion:** Rep. McCarthy made a substitute motion to **INCREASE THE COST TO \$5.33 EACH YEAR OF THE BIENNIUM AS THE RATE FOR WAREHOUSE SPACE.**

01:34:00 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:34:35 **Motion:** Rep. McCarthy moved to **INCREASE THE OFFICE RENT TO \$10.40 PER SQUARE FOOT FOR FY 2018 AND \$10.59 PER SQUARE FOOT IN FY 2019.**

**Discussion:**

01:36:09 Kris Wilkinson, LFD

01:36:45 Chair Tschida

01:36:58 Without objection, Rep. McCarthy withdrew his motion.

01:37:27 Recess

01:38:59 Reconvene

01:39:06 **Motion:** Rep. McCarthy moved to **RECOMMEND TO THE HOUSE APPROPRIATION COMMITTEE THAT FIXED COSTS RELATED TO OFFICE RENT AND NON-OFFICE RENT BE INCLUDED AS A RESTRICTED APPROPRIATION FOR ALL STATE AGENCIES IN HB 2.**

**Discussion:**

01:39:28 Chair Tschida

01:39:56 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:40:08 Kris Wilkinson, LFD

01:41:22 **Motion/Vote:** Rep. McCarthy moved that **DP 54 ADJUSTMENTS TO FIXED COSTS AS RECOMMENDED BY SECTION A.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:41:55 Kris Wilkinson, LFD  
01:42:21 Chair Tschida  
01:42:35 Kris Wilkinson, LFD  
01:43:08 Sen. Lang

01:43:16 **Motion:** Sen. Lang moved to **RECONSIDER THE COMPANION BILL FOR THE BIG SKY ECONOMIC DEVELOPMENT TRUST INCOME FUND TRANSFER TO THE BIG SKY ECONOMIC DEVELOPMENT STATE SPECIAL REVENUE.**

**Discussion:**

01:43:29 Rep. McCarthy  
01:43:42 Kris Wilkinson, LFD

01:44:02 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:44:17 Rep. McCarthy  
01:44:33 Kris Wilkinson, LFD  
01:44:45 Sen. Moore joined the meeting  
01:44:52 Rep. McCarthy  
01:44:59 Kris Wilkinson, LFD  
01:45:10 Chair Tschida

01:45:55 **Motion:** Sen. Moore moved to **APPROPRIATE FUNDING FOR CONSUMER COUNSEL AS RESTRICTED AND ON-TIME-ONLY BE ADOPTED.**

**Discussion:**

01:46:42 Rep. McCarthy  
01:46:54 Vice Chair Moore  
01:46:57 Rep. McCarthy  
01:47:19 Kris Wilkinson, LFD  
01:48:03 Rep. McCarthy  
01:48:25 Kris Wilkinson, LFD  
01:48:41 Sen. Lang  
01:48:46 Kris Wilkinson, LFD  
01:48:54 Rep. McCarthy  
01:49:44 Vice Chair Moore  
01:49:53 Kris Wilkinson, LFD  
01:50:20 Vice Chair Moore  
01:50:43 Rep. McCarthy  
01:51:41 Kris Wilkinson, LFD  
01:52:31 Rep. McCarthy  
01:53:28 Sen. McNally  
01:54:45 Vice Chair Moore

01:55:35 **Vote:** Motion carried 5-1 with Rep. McCarthy voting no.

01:56:10 Sen. Moore left the meeting

01:56:11 Chair Tschida

01:56:27 Nick VanBrown, Legislative Fiscal Division (LFD)

01:57:11 Sen. Lang

01:57:14 Nick VanBrown, LFD

[EXHIBIT\(jgh39a06\)](#)

01:58:49 Sen. Lang

01:58:52 Nick VanBrown, LFD

01:59:08 Rep. McCarthy

01:59:52 Nick VanBrown, LFD

02:00:10 Rep. McCarthy

02:00:38 **Motion/Vote:** Rep. McCarthy moved to **APPROVE THE RATES FOR THE CITIZENS SERVICES AND RESOURCES MANAGEMENT DIVISION DELINQUENT ACCOUNT COLLECTION FEE AT A MAXIMUM % OF THE AMOUNT COLLECTED 5% EACH YEAR OF THE BIENNIUM.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

**Department of Labor & Industry:**

02:01:26 Katie Guenther, LFD

[EXHIBIT\(jgh39a07\)](#)

02:04:13 Rep. McCarthy

02:04:35 Katie Guenther, LFD

02:05:03 Rep. McCarthy

02:05:57 Katie Guenther, LFD

02:07:11 **Motion:** Rep. McCarthy moved to **RECONSIDER PREVIOUS ACTION ON THE RATES FOR THE DEPARTMENT OF LABOR & INDUSTRY AND APPROVE RATES OF 8.19 IN FY 2018 AND 7.87 IN FY 2019 BEING THE MAXIMUM PERCENTAGE THAT THE AGENCY CAN CHARGE.**

**Discussion:**

02:08:04 Sen. Lang

02:08:15 Katie Guenther, LFD

02:08:29 Sen. Lang

02:08:35 Rep. McCarthy

02:08:52 Sen. Lang

02:09:05 Rep. McCarthy

02:09:11 **Vote:** Motion carried unanimously by roll call vote. Sen. Moore voted by proxy.

02:09:42 Katie Guenther, LFD

[EXHIBIT\(jgh39a08\)](#)

02:11:25 Chair Tschida

02:11:42 Katie Guenther, LFD

02:12:04 Chair Tschida

02:12:12 Katie Guenther, LFD

02:12:22 Chair Tschida

02:12:28 Katie Guenther, LFD

02:12:45 Rep. McCarthy



02:14:57 **Motion/Vote:** Rep. McCarthy moved to **APPROVE THE APPLICATION HOURLY RATE FOR THE TECHNOLOGY SERVICES DIVISION AT \$84.00 AND PER FTE RATE OF \$266.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

02:16:00 Kris Wilkinson, LFD

02:16:35 **Motion:** Sen. Lang moved that **THE APPROPRIATION FOR THE VETERINARY DIAGNOSTIC LAB MUST BE USED TO PREPARE, PLAN, AND PREFORM A STUDY THE FUTURE OF THE POSSIBLY EFFICIENCIES TO BE GAINED ROM THE VETERINARY DIAGNOSTIC LAB, THE WOOL LAB, THE SEED LAB, AND THE WILDLIFE LAB AS RESTRICTED AND ONE-TIME-ONLY.**

**Discussion:**

02:17:08 Kris Wilkinson, LFD

02:17:33 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

02:18:19 Kris Wilkinson, LFD

02:18:39 **Motion/Vote:** Rep. McCarthy moved to **CLOSE THE BUDGETS ON ALL AGENCIES UNDER SECTION A SUBCOMMITTEE.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

**ADJOURNMENT**

Adjournment: 02:18:59

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Olivia Effertz, Secretary

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Additional Documents:

**EXHIBIT**([jgh39aad.pdf](#))